

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Gannon Enterprises,

Plaintiff,

vs.

Alcohol Sensors International, et al.,

Defendants.

No. CV 04-1313-PHX-ECV

ORDER

Pending before the court is a Motion for Partial Summary Judgment (Doc. #40) filed by Defendants Michael E. Recca and Christine A. Hudson back on February 17, 2006. During a settlement conference on March 3, 2006, all parties reached a settlement agreement. Upon completion of the terms of the settlement agreement, the parties will stipulate to a dismissal. Because the case has settled, the pending motion for summary judgment will be denied without prejudice. In the event that the settlement is not completed and the case is not dismissed, the defendants may re-submit the summary judgment motion.

IT IS THEREFORE ORDERED:

That the Motion for Partial Summary Judgment (Doc. #40) is **denied without prejudice**.

DATED this 27th day of September, 2006.



Edward C. Voss
United States Magistrate Judge